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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAVID GARCIA,

Plaintiff,

v.

JOSEPH LEHMAN

Defendant.

Case No. C04-5893FDB

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed, the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) This action is **DISMISSED WITH PREJUDICE** for the reasons set forth in the Report and Recommendation.
- (3) The Clerk is directed to send copies of this Order to plaintiff, counsel for defendants and to the Hon. Karen L. Strombom.

DATED this 22nd day of March 2006.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE